Swiss Federal Supreme Court Dataset (SCD)

Codebook

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Version 2023-1

Abstract

The Swiss Federal Supreme Court Dataset (SCD) provides a record of all 113,367 cases decided by the Swiss Federal Supreme Court between 2007 and 2022. The SCD includes 30 variables that document basic case information, the court composition, the area of law, information about the appealed judgment, the parties, the case outcome, and about citations and publication status. The dataset can be used as data infrastructure for both qualitative and quantitative analysis of Federal Supreme Court jurisprudence. It is generated using a fully automated pipeline and will be updated quarterly until at least 2025 to include the latest judgments and possible expansions.

Contents

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1 Introduction

This codebook documents the 30 variables in the Swiss Federal Supreme Court Dataset.

1.1 Dataset Scope

The Swiss Federal Supreme Court Dataset (SCD) includes all cases decided by the Swiss Federal Supreme Court between 2007 and 2022 that have been made available on its website ($N = 113{,}367$).[1] The dataset is created automatically using a web scraper and natural language processing pipeline programmed in Python and R by Jakob Merane and Florian Geering. The SCD builds upon the datasets and code they used in their publications 'Measuring Gender Composition in the Swiss Federal Supreme Court'[2] and 'Do You Need a Lawyer?'[3]. The automated download of judgments respects the Robots Exclusion Standard ("robots.txt").

1.2 Updates

We are committed to providing quarterly updates for the Swiss Federal Supreme Court Dataset until at least 2025. These updates will be identified by version numbers that consist of the year and the sequential update number, e.g. 2023-1 denoting the first version released in 2023.

To ensure reproducibility of your research, please include the version number of the edition you used when citing the Swiss Federal Supreme Court Dataset. This codebook documents version 2023-1.

1.3 Future Research with the Dataset

The Swiss Federal Supreme Court Dataset is designed to serve as a basis for current and future research. It can be used as data infrastructure for both qualitative and quantitative analysis of Federal Supreme Court jurisprudence. While many analyses are possible with the SCD in its native form, some research requires additional variables. A variety of methods, including manual coding and automated content analysis, can be used to generate additional data to use with the Swiss Federal Supreme Court Dataset.

For example, the SCD may facilitate the sampling process for research that qualitatively analyses dozens or hundreds of judgments: Judgments that should be included in the analysis can be identified and filtered using the variables in the dataset. The dataset also provides opportunities to supplement existing qualitative analyses with additional variables.

On the other hand, the SCD can also be expanded with additional variables that are automatically extracted from the judgment texts. Due to file size and encoding limitations, the Swiss Federal Supreme Court Dataset does not include judgment texts in its current version. However, judgment texts can easily be downloaded from the Federal Supreme Court website, for example by accessing them through the `url` variable in the dataset. Alternatively, third-party websites such as entscheidsuche.ch provide mirrors for Federal Supreme Court judgments.[4]

As part of our commitment to open research data, we strongly encourage researchers who build upon the Swiss Federal Supreme Court Dataset to make their data freely available to the research community.

1.4 Reliability

The SCD builds on several years of work on Federal Supreme Court data, with a special emphasis on reliability and robustness. We manually tested multiple random samples of the judgments to determine the reliability of the variables. All variables achieved accuracy levels exceeding 98%.

1 These are all cases that are ordinary dossiers under the Federal Supreme Court Act.

2 Jakob Merane, 'Measuring Gender Composition in the Swiss Federal Supreme Court' (transl.) (2021) 10/2021 Schweizerische Juristen-Zeitung 511–16.

3 Florian Geering, 'Do You Need a Lawyer?' (2021) 4/2021 Justice - Justiz - Giustizia, doi.org/hbkz.

4 When downloading judgments from any source, please use considerate scraping methods and respect the Robots Exclusion Standard ("robots.txt"). Note that the Federal Supreme Court website requires a 2-second delay between requests.

1.5 License

The Swiss Federal Supreme Court Dataset and this codebook are licensed under a Creative Commons Attribution 4.0 International License (CC BY 4.0). You may distribute, remix, transform, and build upon the Swiss Federal Supreme Court Dataset for any purpose, even commercially, but you are required to give appropriate credit by citing the Swiss Federal Supreme Court Dataset and may not introduce additional restrictions.

1.6 Citation

We suggest you cite the Swiss Federal Supreme Court Dataset as:

> Florian Geering and Jakob Merane. (2023). Swiss Federal Supreme Court Dataset (SCD). Version 2023-1. Zenodo. https://doi.org/10.5281/zenodo.7793044.

```
@misc{swiss_federal_supreme_court_dataset,
  author       = {Geering, Florian and
                  Merane, Jakob},
  title        = {{Swiss Federal Supreme Court Dataset (SCD)}},
  year         = 2023,
  edition      = {Version 2023-1},
  publisher    = {Zenodo},
  doi          = {10.5281/zenodo.7793044},
  url          = {https://doi.org/10.5281/zenodo.7793044}
}
```

1.7 Disclaimer

The Swiss Federal Supreme Court Dataset is a research initiative to make the Swiss Federal Supreme Court decisions available in machine-readable form. The dataset and its authors are not affiliated with or endorsed by the Federal Supreme Court.

The Swiss Federal Supreme Court Dataset is provided "as-is", without any warranties of any kind. The authors disclaim all liability, to the maximum extent permitted by applicable law.

1.8 Contact

You can contact us with any questions or comments regarding the Swiss Federal Supreme Court Dataset. We are especially interested in hearing about applications of the SCD, and are also open to exploring potential collaboration opportunities. Find our contact information on our ORCID pages:

Florian Geering Jakob Merane

2 Description of the Variables

Variable descriptions are structured as follows:

1. Variable title and variable name
In the codebook, variable titles are used to provide a more descriptive way of identifying variables, whereas variable names are used to identify columns in the dataset. Variable names and coded values are always set in `fixed-width` font.

2. Variable type
Variable types are indicated to simplify data handling. The dataset contains strings, strings that may be treated as factors, booleans, dates, and integers.

3. Comments
The comments describe what the variable encodes, how it is coded, and which values it may take on.

4. Examples
The examples show the actual coding of a selection of cases. They contain an excerpt of the judgment text (where appropriate), the citation of the judgment, and (in `fixed-width` font) the variable and its value.

3 Case Variables

3.1 Case Number: `docref`

Variable name: `docref`
Type: String

Comments

- This variable corresponds to the unique case number assigned by the Federal Supreme Court.
- Case numbers are always in the format: number encoding the division, letter encoding the proceeding type, underscore, number encoding a running tally of proceedings, slash, year; for example `1C_517/2016`.
- The case numbering system is described in the Secretary General's document Numbering System for Case Files Since 2007 (de/fr).
- Note that for judgments that were published as leading case, the reference to the published version of the judgment is coded in the variable `leading_case`.

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `docref = 1C_517/2016`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `docref = 6B_468/2011`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `docref = 5A_643/2017`

3.2 Judgment URL: `url`

Variable name: `url`
Type: String

Comments

- This variable corresponds to the URL where the judgment is available on the Federal Supreme Court website and through which it was accessed.
- The judgment URL may be useful to download full judgment texts or extract additional data.
- The stability of these URLs may not be guaranteed long-term. However, note that the URL for any Federal Supreme Court judgment can generally be reconstructed from the `date` and `docref` variables when using the basic format of `https://www.bger.ch/ext/eurospider/live/de/php/aza/http/index.php?highlight_docid=aza%3A%2F%2F12-04-2017-1C_517-2016&type=show_document` (compare with Example 1).
- When accessing the Federal Supreme Court website programmatically, please use considerate scraping methods and respect the Robots Exclusion Standard ("robots.txt"). Note that the Federal Supreme Court website requires a 2-second delay between requests. Also consider using alternative sources such as the repository provided by entscheidsuche.ch.

Examples

- Example 1: 1C_517/2016.

  → `url = https://www.bger.ch/ext/eurospider/live/it/php/aza/http/index.php?lang=it&type=highlight_simple_query&page=3&from_date=13.02.2017&to_date=13.04.2017&sort=relevance&insertion_date=&top_subcollection_aza=all&query_words=&rank=28&azaclir=aza&highlight_docid=aza%3A%2F%2F12-04-2017-1C_517-2016&number_of_ranks=1381`

- Example 1: 6B_468/2011.

  → `url = https://www.bger.ch/ext/eurospider/live/it/php/aza/http/index.php?lang=it&type=highlight_simple_query&page=125&from_date=21.05.2012&to_date=19.07.2012&sort=relevance&insertion_date=&top_subcollection_aza=all&query_words=&rank=1248&azaclir=aza&highlight_docid=aza%3A%2F%2F24-05-2012-6B_468-2011&number_of_ranks=1340`

- Example 3: 5A_643/2017.

  → `url = https://www.bger.ch/ext/eurospider/live/it/php/aza/http/index.php?lang=it&type=highlight_simple_query&page=73&from_date=06.04.2018&to_date=04.06.2018&sort=relevance&insertion_date=&top_subcollection_aza=all&query_words=&rank=728&azaclir=aza&highlight_docid=aza%3A%2F%2F03-05-2018-5A_643-2017&number_of_ranks=1331`

3.3 Judgment Date: `date`

Variable name: `date`
Type: Date in `YYYY-MM-DD` format

Comments

- This variable corresponds to the judgment date indicated by the Federal Supreme Court in the judgment head.
- It is coded in `YYYY-MM-DD` format.

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `date = 2017-04-12`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `date = 2012-05-24`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `date = 2018-05-03`

3.4 Judgment Year: `year`

Variable name: `year`
Type: Integer

Comments

- This variable corresponds to the calendar year of the judgment date.
- It is automatically derived from the judgment date variable `date`.

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `year = 2017`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `year = 2012`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `year = 2018`

3.5 Proceeding Type: `proc_type`

Variable name: `proc_type`
Type: String (factor)

proc_type	n	percent
Public	53,300	47.0%
Criminal	26,039	23.0%
Civil	25,092	22.1%
Constitutional	6,224	5.5%
Revision	2,447	2.2%
Correction	220	0.2%
Action	45	0.0%

Comments

- This variable corresponds to the proceeding type, as indicated in the case number (`docref`).
- A is coded as `Civil`, B is coded as `Criminal`, C is coded as `Public`, D is coded as `Constitutional` (subsidiary constitutional complaint), E is coded as `Action` (Art. 120 Federal Supreme Court Act), F is coded as `Revision` and G is coded as `Correction`.
- If a subsidiary constitutional complaint is filed together with a standard (unified) appeal, the Federal Supreme Court generally classifies the case under the letters `A-C` instead of as subsidiary constitutional complaint (letter `D`).
  - Only subsidiary constitutional complaints raised independently of a standard appeal are classified under `D` and consequently coded as `Constitutional` in this variable.
  - This limitation should be noted, but is consistent with the understanding of "subsidiary constitutional complaints" present in the Federal Supreme Court's official statistics: In its annual reports, the Federal Supreme Court only counts these "independent" subsidiary constitutional complaints (see for example Annual Report 2022).

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `proc_type = Public`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `proc_type = Criminal`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `proc_type = Civil`

4 Court Variables

4.1 Division: `division`

Variable name: `division`
Type: String (factor)

division	n	percent
2. Civil	18,665	16.5%
Criminal	18,421	16.2%
1. Public	18,392	16.2%
2. Public	17,083	15.1%
1. Social	14,558	12.8%
2. Social	14,288	12.6%
1. Civil	11,960	10.5%

Comments

- This variable corresponds to the division of the Court that decided the case, as indicated in the case number (`docref`).
  - 1 is coded as `1. Public`, 2 is coded as `2. Public`.
  - 4 is coded as `1. Civil`, 5 is coded as `2. Civil`.
  - 6 is coded as `Criminal`.
  - 8 is coded as `1. Social`, 9 is coded as `2. Social` in cases decided until 31 December 2022.
  - 8 will be coded as `4. Public`, 9 will be coded as `3. Public` in cases decided from 1 January 2023 in line with the court reorganizations. Note that only future versions of the dataset will be affected by this change.
- The variable values remain consistent across judgments in different languages.

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `division = 1. Public`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `division = Criminal`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `division = 2. Civil`

4.2 Division Type: `division_type`

Variable name: `division_type`
Type: String (factor)

division_type	n	percent
Public	64,321	56.7%
Civil	30,625	27.0%
Criminal	18,421	16.2%

Comments

- This variable corresponds to the type of division of the Court that decided the case, based on the case number (`docref`) and division (`division`) variables.
  - The public law divisions are coded as `Public`.
  - The social law divisions are coded as `Public` (in line with the court reorganizations of 2023).
  - The civil law divisions are coded as `Civil`.
  - The criminal law division is coded as `Criminal`.
- The variable values remain consistent across judgments in different languages.

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `division_type = Public`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `division_type = Criminal`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `division_type = Civil`

4.3 Number of Judges: `n_judges`

Variable name: `n_judges`
Type: Integer

n_judges	n	percent	valid_percent
1	37,927	33.5%	33.7%
3	66,313	58.5%	58.9%
5	8,300	7.3%	7.4%
NA	827	0.7%	-

Comments

- This variable corresponds to the number of judges sitting in the case.

Examples

- Example 1: Besetzung Bundesrichter Merkli, Präsident, Bundesrichter Karlen, Fonjallaz, Eusebio, Kneubühler, Gerichtsschreiberin Gerber. (1C_517/2016, Judgment head).

  → `n_judges = 5`

- Example 2: Besetzung Bundesrichter Mathys, Präsident, Bundesrichter Schneider, Schöbi, Gerichtsschreiber Keller. (6B_468/2011, Judgment head).

  → `n_judges = 3`

- Example 3: Composition MM. et Mme les Juges fédéraux von Werdt, Président, Escher et Herrmann. Greffière : Mme Dolivo. (5A_643/2017, Judgment head).

  → `n_judges = 3`

5 Judgment Variables

5.1 Language: `language`

Variable name: `language`
Type: String (factor)

language	n	percent
de	69,496	61.3%
fr	37,654	33.2%
it	6,217	5.5%

Comments

- This variable corresponds to the language the judgment was written in.
- Languages were classified with the langdetect Python library.
- German is coded as `de`, French is coded as `fr`, Italian is coded as `it`.
- The case 1C_160/2012 (BGE 139 II 14) was published in two identical versions in Romansh (Rumantsch/Rätoromanisch) and German. To simplify the coding, this case is coded as German. The other Romansh decision is BGE 122 I 93, which falls outside of the temporal scope of the dataset.

Examples

- Example 1: 1C_517/2016, Urteil vom 12. April 2017, I. öffentlich-rechtliche Abteilung (1C_517/2016, Judgment head).

  → `language = de`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `language = de`

- Example 3: 5A_643/2017, Arrêt du 3 mai 2018, IIe Cour de droit civil (5A_643/2017, Judgment head).

  → `language = fr`

5.2 Judgment Length: `length`

Variable name: `length`
Type: Integer

Comments

- This variable corresponds to the length of the judgment text in characters.

Examples

- Example 1: 1C_517/2016.
  → `length = 27279`
- Example 2: 6B_468/2011.
  → `length = 11087`
- Example 3: 5A_643/2017.
  → `length = 23988`

5.3 General Area: `area_general`

Variable name: `area_general`
Type: String (factor)

area_general	n	percent	valid_percent
Öffentliches Recht	79,305	70.0%	70.0%
Privatrecht	21,619	19.1%	19.1%
Strafrecht	12,394	10.9%	10.9%
NA	49	0.0%	-

Comments

- This variable corresponds to the general area of law dealt with in the judgment at low granularity.
- The `area_general` variable takes on 3 different levels and is aggregated from the 23 levels in the `area_intermediate` variable, which is in turn aggregated from the 56 levels in the `area_detailed` variable.
  - For example, `area_detailed = Invalidenversicherung` is aggregated to `area_intermediate = Sozialversicherungsrecht` and `area_general = Öffentliches Recht`.
- Area descriptions are always given in German. Every case is assigned only one area description.
- Area descriptions are assigned by the Federal Supreme Court and were extracted from its website.

Examples

- Example 1: Ökologisches Gleichgewicht (1C_517/2016).

  → `area_general = Öffentliches Recht`

- Example 2: Straftaten (6B_468/2011).

  → `area_general = Strafrecht`

- Example 3: Droit des poursuites et faillites (5A_643/2017).

  → `area_general = Öffentliches Recht`

5.4 Intermediate Area: `area_intermediate`

Variable name: `area_intermediate`
Type: String (factor)

area_intermediate	n	percent	valid_percent
Sozialversicherungsrecht	26,597	23.5%	23.5%
Verfahrensrecht	16,543	14.6%	14.6%
Strafrecht	12,394	10.9%	10.9%
Zivilrecht	10,626	9.4%	9.4%
Obligationenrecht und Handelsrecht	10,464	9.2%	9.2%
Schuldbetreibungs- und Konkursrecht	8,309	7.3%	7.3%
Bürgerrecht und Ausländerrecht	8,176	7.2%	7.2%
Öffentliche Finanzen und Abgaberecht	4,897	4.3%	4.3%
Raumplanung und öffentliches Baurecht	4,083	3.6%	3.6%
Energie, Verkehr, Kommunikation	1,936	1.7%	1.7%
Gesundheitswesen und soziale Sicherheit	1,676	1.5%	1.5%
Grundrecht	1,568	1.4%	1.4%
Rechtshilfe und Auslieferung	1,343	1.2%	1.2%
Öffentliches Dienstverhältnis	1,059	0.9%	0.9%
Unterrichtswesen und Berufsausbildung	759	0.7%	0.7%
Ökologisches Gleichgewicht	711	0.6%	0.6%
Politische Rechte	691	0.6%	0.6%
Immaterialgüter-, Wettbewerbs- und Kartellrecht	529	0.5%	0.5%
Staatshaftung	407	0.4%	0.4%
Wirtschaft	269	0.2%	0.2%
Enteignung	219	0.2%	0.2%
Sicherheits- und Friedenspolitik	57	0.1%	0.1%
NA	49	0.0%	-
Kunst und Kultur	5	0.0%	0.0%

Comments

- This variable corresponds to the area of law dealt with in the judgment at intermediate granularity.
- The `area_intermediate` variable takes on 23 different levels and is aggregated from the 56 levels in the `area_detailed` variable.
  - For example, `area_detailed = Invalidenversicherung` is aggregated to `area_intermediate = Sozialversicherungsrecht`.
- Area descriptions are always given in German. Every case is assigned only one area description.
- Area descriptions are assigned by the Federal Supreme Court and were extracted from its website.

Examples

- Example 1: Ökologisches Gleichgewicht (1C_517/2016).

  → `area_intermediate = Ökologisches Gleichgewicht`

- Example 2: Straftaten (6B_468/2011).

  → `area_intermediate = Strafrecht`

- Example 3: Droit des poursuites et faillites (5A_643/2017).

  → `area_intermediate = Schuldbetreibungs- und Konkursrecht`

5.5 Detailed Area: `area_detailed`

Variable name: `area_detailed`
Type: String (factor)

area_detailed	n	percent	valid_percent
Strafprozess	14,112	12.4%	12.5%
Invalidenversicherung	12,873	11.4%	11.4%
Schuldbetreibungs- und Konkursrecht	8,309	7.3%	7.3%
Vertragsrecht	8,209	7.2%	7.2%
Bürgerrecht und Ausländerrecht	8,176	7.2%	7.2%
Straftaten	8,147	7.2%	7.2%
Familienrecht	7,834	6.9%	6.9%
Unfallversicherung	5,337	4.7%	4.7%
Öffentliche Finanzen und Abgaberecht	4,897	4.3%	4.3%
Raumplanung und öffentliches Baurecht	4,083	3.6%	3.6%
Strafrecht (allgemein)	3,579	3.2%	3.2%
Arbeitslosenversicherung	2,155	1.9%	1.9%
Gesundheitswesen und soziale Sicherheit	1,676	1.5%	1.5%
Alters- und Hinterlassenenversicherung	1,660	1.5%	1.5%
Grundrecht	1,568	1.4%	1.4%
Strassenbau und Strassenverkehr	1,546	1.4%	1.4%
Krankenversicherung	1,524	1.3%	1.3%
Berufliche Vorsorge	1,385	1.2%	1.2%
Sachenrecht	1,347	1.2%	1.2%
Rechtshilfe und Auslieferung	1,343	1.2%	1.2%
Ergänzungsleistung	1,215	1.1%	1.1%
Öffentliches Dienstverhältnis	1,059	0.9%	0.9%
Zuständigkeitsfragen und Verfahrensgarantien	1,052	0.9%	0.9%
Obligationenrecht (allgemein)	1,044	0.9%	0.9%
Other levels not shown in this summary table	9,188	8.1%	8.1%
NA	49	0.0%	-

Comments

- This variable corresponds to the area of law dealt with in the judgment at high granularity.
- The `area_detailed` variable takes on 56 different levels. Aggregated versions of the area descriptions with fewer levels are available in the `area_intermediate` and `area_general` variables.
- Area descriptions are always given in German. Every case is assigned only one area description.
- Area descriptions are assigned by the Federal Supreme Court and were extracted from its website.

Examples

- Example 1: Ökologisches Gleichgewicht (1C_517/2016).

  → `area_detailed = Ökologisches Gleichgewicht`

- Example 2: Straftaten (6B_468/2011).

  → `area_detailed = Straftaten`

- Example 3: Droit des poursuites et faillites (5A_643/2017).

  → `area_detailed = Schuldbetreibungs- und Konkursrecht`

5.6 Topic: `topic`

Variable name: `topic`
Type: String

Comments

- This variable corresponds to the topic of the judgment as indicated by the Federal Supreme Court.
- Topics were extracted from the Federal Supreme Court website. For the description of the issue directly extracted from the judgment text, see the `issue` variable.

Examples

- Example 1: Gegenstand Kehrichtabfuhr, Beschwerde gegen das Urteil vom 16. August 2016 des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer (1C_517/2016, Judgment head).

  → `topic = Kehrichtabfuhr`

- Example 2: Gegenstand Sich bestechen lassen (Art. 322quater StGB), Beschwerde gegen den Entscheid des Bundesstrafgerichts, Strafkammer, vom 30. November 2010. (6B_468/2011, Judgment head).

  → `topic = Sich bestechen lassen (Art. 322quater StGB)`

- Example 3: Objet validité de la poursuite (représentation de l'hoirie en cas d'urgence), recours contre l'arrêt de la Cour des poursuites et faillites du Tribunal cantonal du canton de Vaud du 16 août 2017 (FA17.001998–170529). (5A_643/2017, Judgment head).

  → `topic = validité de la poursuite, représentation de l'hoirie en cas d'urgence`

5.7 Issue: `issue`

Variable name: `issue`
Type: String

Comments

- This variable corresponds to the judgment issue as indicated in the judgment text.
- It is extracted from the judgment head and generally includes the description of the topic. It also includes the name of the previous instance and the date of the appealed decision.

Examples

- Example 1: Gegenstand Kehrichtabfuhr, Beschwerde gegen das Urteil vom 16. August 2016 des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer (1C_517/2016, Judgment head).

  → `issue = Kehrichtabfuhr, Beschwerde gegen das Urteil vom 16. August 2016 des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer.`

- Example 2: Gegenstand Sich bestechen lassen (Art. 322quater StGB), Beschwerde gegen den Entscheid des Bundesstrafgerichts, Strafkammer, vom 30. November 2010. (6B_468/2011, Judgment head).

  → `issue = Sich bestechen lassen (Art. 322quater StGB), Beschwerde gegen den Entscheid des Bundesstrafgerichts, Strafkammer, vom 30. November 2010.`

- Example 3: Objet validité de la poursuite (représentation de l'hoirie en cas d'urgence), recours contre l'arrêt de la Cour des poursuites et faillites du Tribunal cantonal du canton de Vaud du 16 août 2017 (FA17.001998–170529). (5A_643/2017, Judgment head).

  → `issue = validité de la poursuite (représentation de l'hoirie en cas d'urgence), recours contre l'arrêt de la Cour des poursuites et faillites du Tribunal cantonal du canton de Vaud du 16 août 2017 (FA17.001998-170529).`

5.8 Date of Appealed Decision: `source_date`

Variable name: `source_date`
Type: Date in `YYYY-MM-DD` format

Comments

- This variable corresponds to the date of the appealed decision as indicated in the issue description (`issue`).
- It is coded in `YYYY-MM-DD` format.

Examples

- Example 1: Gegenstand Kehrichtabfuhr, Beschwerde gegen das Urteil vom 16. August 2016 des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer (1C_517/2016, Judgment head).

  → `source_date = 2016-08-16`

- Example 2: Gegenstand Sich bestechen lassen (Art. 322quater StGB), Beschwerde gegen den Entscheid des Bundesstrafgerichts, Strafkammer, vom 30. November 2010. (6B_468/2011, Judgment head).

  → `source_date = 2010-11-30`

- Example 3: Objet validité de la poursuite (représentation de l'hoirie en cas d'urgence), recours contre l'arrêt de la Cour des poursuites et faillites du Tribunal cantonal du canton de Vaud du 16 août 2017 (FA17.001998–170529). (5A_643/2017, Judgment head).

  → `source_date = 2017-08-16.`

5.9 Origin of Appealed Decision: `source_canton`

Variable name: `source_canton`
Type: String (factor)

source_canton	n	percent	valid_percent
ZH	18,985	16.7%	17.1%
GE	11,947	10.5%	10.7%
VD	11,895	10.5%	10.7%
CH	9,383	8.3%	8.4%
BE	8,005	7.1%	7.2%
AG	6,853	6.0%	6.2%
TI	5,099	4.5%	4.6%
VS	4,288	3.8%	3.9%
SG	4,205	3.7%	3.8%
LU	3,909	3.4%	3.5%
FR	3,417	3.0%	3.1%
SO	3,272	2.9%	2.9%
BS	3,098	2.7%	2.8%
TG	2,823	2.5%	2.5%
BL	2,373	2.1%	2.1%
SZ	2,148	1.9%	1.9%
NA	2,136	1.9%	-
NE	2,090	1.8%	1.9%
ZG	2,008	1.8%	1.8%
GR	1,773	1.6%	1.6%
SH	778	0.7%	0.7%
JU	701	0.6%	0.6%
AR	562	0.5%	0.5%
GL	520	0.5%	0.5%
NW	409	0.4%	0.4%
UR	305	0.3%	0.3%
OW	287	0.3%	0.3%
AI	98	0.1%	0.1%

Comments

- This variable corresponds to the origin of the appealed decision.
- Appeals against cantonal decisions are coded with the two-letter abbreviation of the canton.
- Appeals against Federal instances (such as the Federal Administrative Court or the Federal Criminal Court) are coded as `CH`.

Examples

- Example 1: Gegenstand Kehrichtabfuhr, Beschwerde gegen das Urteil vom 16. August 2016 des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer (1C_517/2016, Judgment head).

  → `source_canton = GR`

- Example 2: Gegenstand Sich bestechen lassen (Art. 322quater StGB), Beschwerde gegen den Entscheid des Bundesstrafgerichts, Strafkammer, vom 30. November 2010. (6B_468/2011, Judgment head).

  → `source_canton = CH`

- Example 3: Objet validité de la poursuite (représentation de l'hoirie en cas d'urgence), recours contre l'arrêt de la Cour des poursuites et faillites du Tribunal cantonal du canton de Vaud du 16 août 2017 (FA17.001998–170529). (5A_643/2017, Judgment head).

  → `source_canton = VD`

5.10 Duration of Federal Supreme Court Proceedings: `proc_duration`

Variable name: `proc_duration`
Type: Integer

Comments

- This variable corresponds to the approximate duration of the Federal Supreme Court proceedings.
- It is calculated as time difference in days between the Federal Supreme Court's judgment date (`date`) and the date of the appealed decision (`source_date`).

Examples

- Example 1: Urteil vom 12. April 2017 [...] Beschwerde gegen das Urteil vom 16. August 2016 des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer (1C_517/2016, Judgment head).

  → `proc_duration = 239`

- Example 2: Urteil vom 24. Mai 2012 [...] Beschwerde gegen den Entscheid des Bundesstrafgerichts, Strafkammer, vom 30. November 2010. (6B_468/2011, Judgment head).

  → `proc_duration = 541`

- Example 3: Arrêt du 3 mai 2018 [...] recours contre l'arrêt de la Cour des poursuites et faillites du Tribunal cantonal du canton de Vaud du 16 août 2017 (FA17.001998–170529). (5A_643/2017, Judgment head).

  → `proc_duration = 260`

6 Party Variables

6.1 Appellant Class: `app_class`

Variable name: `app_class`
Type: String (factor)

app_class	n	percent	valid_percent
natural	94,050	83.0%	83.9%
legal	12,010	10.6%	10.7%
state	6,059	5.3%	5.4%
NA	1,248	1.1%	-

Comments

- This variable corresponds to the appellant's type as natural person, legal person, or state organ.
- If multiple entities are present on the appellant's side, the side will be classified as legal person if at least one legal person but no state organ is present, and as state organ if at least one state organ is present.

Examples

- Example 1: Verfahrensbeteiligte 1. A._____, 2. B._____, Beschwerdeführer, beide vertreten durch Rechtsanwalt Dr. iur. Gion-Andri Decurtins, gegen Gemeinde Cazis, Oberdorf, 7408 Cazis, vertreten durch Rechtsanwältin Nina Tinner. (1C_517/2016, Judgment head).

  → `app_class = natural`

- Example 2: Verfahrensbeteiligte Schweizerische Bundesanwaltschaft, 3003 Bern, Beschwerdeführerin, gegen Y., vertreten durch Rechtsanwalt Cyrill Egli, Beschwerdegegner. (6B_468/2011, Judgment head).

  → `app_class = state`

- Example 3: Participants à la procédure A., représenté par Me F., avocat, recourante, contre B., intimée, Office des poursuites du district de Lausanne, chemin du Trabandan 28, 1006 Lausanne. (5A_643/2017, Judgment head).

  → `app_class = natural`

6.2 Appellant Representation: `app_represented`

Variable name: `app_represented`
Type: Boolean

app_represented	n	percent
TRUE	59,196	52.2%
FALSE	54,171	47.8%

Comments

- This variable corresponds to whether the appellant's side was represented by at least one lawyer.
- Only representatives that are licensed lawyers are coded in this variable.

Examples

- Example 1: Verfahrensbeteiligte 1. A._____, 2. B._____, Beschwerdeführer, beide vertreten durch Rechtsanwalt Dr. iur. Gion-Andri Decurtins, gegen Gemeinde Cazis, Oberdorf, 7408 Cazis, vertreten durch Rechtsanwältin Nina Tinner. (1C_517/2016, Judgment head).

  → `app_represented = TRUE`

- Example 2: Verfahrensbeteiligte Schweizerische Bundesanwaltschaft, 3003 Bern, Beschwerdeführerin, gegen Y., vertreten durch Rechtsanwalt Cyrill Egli, Beschwerdegegner. (6B_468/2011, Judgment head).

  → `app_represented = FALSE`

- Example 3: Participants à la procédure A., représenté par Me F., avocat, recourante, contre B., intimée, Office des poursuites du district de Lausanne, chemin du Trabandan 28, 1006 Lausanne. (5A_643/2017, Judgment head).

  → `app_represented = TRUE`

6.3 Respondent Class: `resp_class`

Variable name: `resp_class`
Type: String (factor)

resp_class	n	percent	valid_percent
state	81,341	71.8%	72.5%
natural	20,317	17.9%	18.1%
legal	10,461	9.2%	9.3%
NA	1,248	1.1%	-

Comments

- This variable corresponds to the respondent's type as natural person, legal person, or state organ.
- If multiple entities are present on the respondent's side, the side will be classified as legal person if at least one legal person but no state organ is present, and as state organ if at least one state organ is present.

Examples

- Example 1: Verfahrensbeteiligte 1. A._____, 2. B._____, Beschwerdeführer, beide vertreten durch Rechtsanwalt Dr. iur. Gion-Andri Decurtins, gegen Gemeinde Cazis, Oberdorf, 7408 Cazis, vertreten durch Rechtsanwältin Nina Tinner. (1C_517/2016, Judgment head).

  → `resp_class = state`

- Example 2: Verfahrensbeteiligte Schweizerische Bundesanwaltschaft, 3003 Bern, Beschwerdeführerin, gegen Y., vertreten durch Rechtsanwalt Cyrill Egli, Beschwerdegegner. (6B_468/2011, Judgment head).

  → `resp_class = natural`

- Example 3: Participants à la procédure A., représenté par Me F., avocat, recourante, contre B., intimée, Office des poursuites du district de Lausanne, chemin du Trabandan 28, 1006 Lausanne. (5A_643/2017, Judgment head).

  → `resp_class = state`

6.4 Respondent Representation: `resp_represented`

Variable name: `resp_represented`
Type: Boolean

resp_represented	n	percent
FALSE	82,220	72.5%
TRUE	31,147	27.5%

Comments

- This variable corresponds to whether the respondent's side was represented by at least one lawyer.
- Only representatives that are patented lawyers are coded in this variable.

Examples

- Example 1: Verfahrensbeteiligte 1. A._____, 2. B._____, Beschwerdeführer, beide vertreten durch Rechtsanwalt Dr. iur. Gion-Andri Decurtins, gegen Gemeinde Cazis, Oberdorf, 7408 Cazis, vertreten durch Rechtsanwältin Nina Tinner. (1C_517/2016, Judgment head).

  → `resp_represented = TRUE`

- Example 2: Verfahrensbeteiligte Schweizerische Bundesanwaltschaft, 3003 Bern, Beschwerdeführerin, gegen Y., vertreten durch Rechtsanwalt Cyrill Egli, Beschwerdegegner. (6B_468/2011, Judgment head).

  → `resp_represented = TRUE`

- Example 3: Participants à la procédure A., représenté par Me F., avocat, recourante, contre B., intimée, Office des poursuites du district de Lausanne, chemin du Trabandan 28, 1006 Lausanne. (5A_643/2017, Judgment head).

  → `resp_represented = FALSE`

7 Outcome Variables

7.1 Outcome: `outcome`

Variable name: `outcome`
Type: String (factor)

outcome	n	percent	valid_percent
rejected	50,511	44.6%	44.6%
inadmissible	42,615	37.6%	37.6%
granted	10,686	9.4%	9.4%
partly granted	5,268	4.6%	4.7%
writeoff	4,113	3.6%	3.6%
NA	174	0.2%	-

Comments

- This variable corresponds to the outcome of the Federal Supreme Court case.
  - If the appeal was granted (*gutgeheissen/admis*), `granted` is coded.
  - If the appeal was partly granted (*teilweise gutgeheissen/partiellement admis*), `partly granted` was coded.
  - If the appeal was rejected (*abgewiesen/rejeté*), `rejected` was coded.
  - If the appeal was inadmissible (*nicht eingetreten/irrecevable*), `inadmissible` was coded.
  - If the appeal was written off (*abgeschrieben/rayé du rôle*), `writeoff` was coded.

Examples

- Example 1: 1. In teilweiser Gutheissung der Beschwerde wird der Entscheid des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer, vom 16. August 2016 aufgehoben und die Sache zur Neubeurteilung im Sinne der Erwägungen an das Verwaltungsgericht zurückgewiesen. Im Übrigen wird die Beschwerde abgewiesen. (1C_517/2016, Holdings).

  → `outcome = partly granted`

- Example 2: 1. Die Beschwerde wird abgewiesen. (6B_468/2011, Holdings).

  → `outcome = rejected`

- Example 3: 1. Le recours est admis, l'arrêt attaqué est annulé et réformé en ce sens que la plainte est rejetée. (5A_643/2017, Holdings).

  → `outcome = granted`

7.2 Binary Outcome: `outcome_binary`

Variable name: `outcome_binary`
Type: Boolean

outcome_binary	n	percent	valid_percent
FALSE	93,126	82.1%	85.4%
TRUE	15,954	14.1%	14.6%
NA	4,287	3.8%	-

Comments

- This variable corresponds to whether the appeal was successful or not.
- If the appeal was granted or partly granted, `TRUE` is coded. If the appeal was inadmissible or rejected, `FALSE` is coded. Appeals that were written off are coded as `NA`.

Examples

- Example 1: 1. In teilweiser Gutheissung der Beschwerde wird der Entscheid des Verwaltungsgerichts des Kantons Graubünden, 5. Kammer, vom 16. August 2016 aufgehoben und die Sache zur Neubeurteilung im Sinne der Erwägungen an das Verwaltungsgericht zurückgewiesen. Im Übrigen wird die Beschwerde abgewiesen. (1C_517/2016, Holdings).

  → `outcome_binary = TRUE`

- Example 2: 1. Die Beschwerde wird abgewiesen. (6B_468/2011, Holdings).

  → `outcome_binary = FALSE`

- Example 3: 1. Le recours est admis, l'arrêt attaqué est annulé et réformé en ce sens que la plainte est rejetée. (5A_643/2017, Holdings).

  → `outcome_binary = TRUE`

8 Citation and Publication Variables

8.1 Cited Unpublished Federal Supreme Court Judgments: `cited_bger`

Variable name: `cited_bger`
Type: String

Comments

- This variable corresponds to the case numbers of all unpublished Federal Supreme Court judgments cited in the case.
- Multiple case numbers are separated by a semicolon (`;`) and no spaces. There can be multiple citations of the same judgment within one case (see Example 1).
- Judgment numbers were extracted with the regular expression `\d{1,2}[:upper:][._]\d+/\d{4}` and coded as indicated in the judgment. They have not been cleaned or standardized. Due to clerical errors in the judgment text, citations to judgments that do not exist may be present in the data.
- The case number of the current judgment is also included in this data (see Example 2).

Examples

- Example 1: Das Bundesgericht legt den Begriff der Rechtsstreitigkeit dahin aus, dass die Streitigkeit im Zusammenhang mit einer individuellen, schützenswerten Rechtsposition stehen muss (BGE 140 II 315 E. 4.4 S. 326; 139 II 185 E. 12.4 S. 218; [...]; Urteil 2C_1097/2014 vom 6. Oktober 2015 E. 3.4) (1C_517/2016, cons. 4.1).

  → `cited_bger = 1C_517/2016;2C_1097/2014;2C_272/2012;2C_272/2012;2P.12/2001`

- Example 2: 6B_468/2011, Urteil vom 24. Mai 2012, Strafrechtliche Abteilung (6B_468/2011, Judgment head).

  → `cited_bger = 6B_468/2011`

- Example 3: En effet, selon la jurisprudence (ATF 139 III 504 consid. 1.2; arrêt 5A_450/2013 du 6 juin 2014 consid. 3.1.1, non publié in ATF 140 III 379), la qualité pour recourir [...] (5A_643/2017, cons. 1.2).

  → `cited_bger = 5A_643/2017;5A_450/2013`

8.2 Number of Cited Unpublished Federal Supreme Court Judgments: `n_cited_bger`

Variable name: `n_cited_bger`
Type: Integer

Comments

- This variable corresponds to how many unique unpublished Federal Supreme Court judgments are cited in the case.
- It is based on the number of judgments coded in the `cited_bger` variable.
- Judgments that are cited multiple times in one judgment (and thus also included multiple times in `cited_bger`) are only counted once in this variable (see Example 1).

Examples

- Example 1: 1C_517/2016;2C_1097/2014;2C_272/2012;2C_272/2012;2P.12/2001 (1C_517/2016).

  → `n_cited_bger = 4`

- Example 2: 6B_468/2011 (6B_468/2011).

  → `n_cited_bger = 1`

- Example 3: 5A_643/2017;5A_450/2013 (5A_643/2017).

  → `n_cited_bger = 2`

8.3 Cited Published Federal Supreme Court Judgments: `cited_bge`

Variable name: `cited_bge`
Type: String

Comments

- This variable corresponds to the case numbers of all published Federal Supreme Court judgments (BGE) that are cited in the case.
- Multiple case numbers are separated by a semicolon (`;`) and no spaces. There can be multiple citations of the same judgment within one case (see Examples 1 and 3).
- Judgment numbers were extracted with the regular expression `\d{1,3} [IV]\w{0,2} \d{1,4}` and coded as indicated in the judgment. They have not been cleaned or standardized. Due to clerical errors in the judgment text, citations to judgments that do not exist may be present in the data.

Examples

- Example 1: Die Verletzung von Grundrechten (einschliesslich die willkürliche Anwendung von kantonalem Recht) prüft es dagegen nur insoweit, als eine solche Rüge in der Beschwerde vorgebracht und genügend begründet worden ist (Art. 106 Abs. 2 BGG; BGE 133 II 249 E. 1.4.2 S. 254 mit Hinweisen). (1C_517/2016, cons. 1).

  → `cited_bger = 133 II 249;130 I 312;129 V 411;140 II 315;139 II 185;137 II 409;136 I 323;136 I 323;109 Ib 253;136 I 323;140 II 315;140 II 315;136 I 323;140 II 315;133 I 156;125 II 508;125 II 508`

- Example 2: Dem Sachgericht steht im Bereich der Beweiswürdigung ein erheblicher Ermessensspielraum zu (BGE 120 Ia 31 E. 4b). Das Bundesgericht greift auf Beschwerde hin nur ein, wenn das Sachgericht diesen missbraucht, [...] (BGE 132 III 209 E. 2.1; zum Begriff der Willkür BGE 137 I 1 E. 2.4 mit Hinweisen). Inwiefern das Gericht sein Ermessen im dargelegten Sinn missbraucht haben soll, ist in der Beschwerde klar und detailliert aufzuzeigen (BGE 130 I 258 E. 1.3). (6B_468/2011, cons. 1.4).

  → `cited_bge = 120 Ia 31;132 III 209;137 I 1;130 I 258`

- Example 3: Le recours a été déposé dans le délai légal (art. 100 al. 2 let. a LTF) à l'encontre d'une décision finale (art. 90 LTF; ATF 135 I 187 consid. 1.2 p. 189 et les références) rendue en matière de poursuite pour dettes [...] (5A_643/2017, cons. 1.1).

  → `cited_bge = 135 I 187;139 III 504;140 III 379;140 III 86;135 III 397;137 II 305;142 II 369;141 I 36;133 II 249;130 III 231;84 III 72;51 III 57;51 III 98;125 III 219;54 II 243;141 IV 380;125 III 219;109 II 400;109 II 400;101 II 36;125 III 219;125 III 219;125 III 219;58 II 195;58 II 195;58 II 195;58 II 195;74 II 215;58 II 195;58 II 195;133 III 675;119 II 339;58 II 195;102 III 1;140 III 175;104 III 4;58 II 195;58 II 195`

8.4 Number of Cited Published Federal Supreme Court Judgments: `n_cited_bge`

Variable name: `n_cited_bge`
Type: Integer

Comments

- This variable corresponds to how many unique published Federal Supreme Court judgments (BGE) are cited in the case.
- It is based on the number of judgments coded in the `cited_bge` variable.
- Judgments that are cited multiple times in one judgment (and thus also included multiple times in `cited_bge`) are only counted once in this variable (see Examples 1 and 3).

Examples

- Example 1: 133 II 249;130 I 312;129 V 411;140 II 315;139 II 185;137 II 409;136 I 323;136 I 323;109 Ib 253;136 I 323;140 II 315;140 II 315;136 I 323;140 II 315;133 I 156;125 II 508;125 II 508 (1C_517/2016).

  → `n_cited_bge = 10`

- Example 2: 120 Ia 31;132 III 209;137 I 1;130 I 258 (6B_468/2011).

  → `n_cited_bge = 4`

- Example 3: 135 I 187;139 III 504;140 III 379;140 III 86;135 III 397;137 II 305;142 II 369;141 I 36;133 II 249;130 III 231;84 III 72;51 III 57;51 III 98;125 III 219;54 II 243;141 IV 380;125 III 219;109 II 400;109 II 400;101 II 36;125 III 219;125 III 219;125 III 219;58 II 195;58 II 195;58 II 195;58 II 195;74 II 215;58 II 195;58 II 195;133 III 675;119 II 339;58 II 195;102 III 1;140 III 175;104 III 4;58 II 195;58 II 195 (5A_643/2017).

  → `n_cited_bge = 25`

8.5 Publication as Leading Case: `leading_case`

Variable name: `leading_case`
Type: String

Comments

- This variable corresponds to whether the judgment was published in the official collection of Federal Supreme Court judgments (BGE).
- If the judgment was not published, `NA` is coded.
- If the judgment was published, the reference (BGE) of the published judgment is coded.

Examples

- Example 1: 1C_517/2016.

  → `leading_case = 143 I 336`

- Example 2: 6B_468/2011.

  → `leading_case = NA`

- Example 2: 5A_643/2017.

  → `leading_case = 144 III 277`

8.6 Version DOI: `doi_version`

Variable name: `doi_version`
Type: String

Comments

- This variable contains the DOI of the specific version of the Swiss Federal Supreme Court Dataset.
- In the specific version of the Swiss Federal Supreme Court Dataset associated with this codebook, it is always coded `10.5281/zenodo.7793044`.
- Accessing this DOI always serves this *specific version* of the dataset.
- The specific DOI should be used to cite the specific version of the Swiss Federal Supreme Court Dataset that was used as a supporting work, e.g. for an analysis or when quoting the work. This ensures that other researchers can access the exact version of the dataset for reproducibility.
- Including the DOI in the dataset ensures that the origin of the data is documented in a machine-readable format even if the data is shared without context. This is laid out in Principle F1 of the FAIR Data Guidelines, which recommends that each measurement is assigned a persistent identifier.

Examples

- Example 1: 1C_517/2016.

  → `doi_version = 10.5281/zenodo.7793044`

- Example 1: 6B_468/2011.

  → `doi_version = 10.5281/zenodo.7793044`

- Example 3: 5A_643/2017.

  → `doi_version = 10.5281/zenodo.7793044`